

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE**

<b>JOHN ANTHONY GENTRY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>No. 3:17-cv-00020</b>
<b>v.</b>	)	
	)	<b>Judge Trauger/Magistrate Judge Holmes</b>
<b>THE STATE OF TENNESSEE, ET AL.,</b>	)	
	)	
<b>Defendants.</b>	)	

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**RESPONSE OF THE STATE OF TENNESSEE IN OPPOSITION TO PLAINTIFF’S  
MOTION TO ALTER MAY 15, 2017 ORDER DENYING LEAVE TO AMEND**

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Plaintiff’s motion (Docket Entry No. 61) should be denied because this Court correctly affirmed the magistrate judge’s ruling, and denied Plaintiff’s motion in its Order of May 15, 2017 (Docket Entry No. 60). For relief under Fed. R. Civ. P. 59(e), Plaintiff must show “(1) a clear error of law; (2) newly discovered evidence; (3) an intervening change in controlling law; or (4) a need to prevent manifest injustice.” *Intera Corp. v. Henderson*, 428 F.3d 605, 620 (6th Cir. 2005). Plaintiff has failed to establish a clear error of law or any other ground that would warrant alteration of this Court’s order.

Respectfully Submitted,

HERBERT H. SLATERY III  
Attorney General and Reporter

s/ Stephanie A. Bergmeyer  
Stephanie A. Bergmeyer, BPR # 27096  
Assistant Attorney General  
Office of the Attorney General and Reporter  
P.O. Box 20207  
Nashville, Tennessee 37202-0207  
Stephanie.Bergmeyer@ag.tn.gov  
(615) 741-6828

## CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was filed electronically, and served through the electronic filing system on this the 30th day of May, 2017, to:

Erika R. Barnes  
Lauren Paxton Roberts  
Stites & Harbison, PLLC (Nashville Office)  
401 Commerce Street  
Suite 800  
Nashville, TN 37219  
*Attorney for Defendants Pamela Anderson Taylor and Brenton Hall Lankford*

William S. Walton  
Butler Snow LLP (Nashville)  
The Pinnacle at Symphony Place  
150 Third Avenue South  
Suite 1600  
Nashville, TN 37201  
*Attorney for Defendant Sarah Richter Perky*

and served by first-class mail, postage prepaid on this 30th day of May, 2017, to:

John Anthony Gentry  
208 Navajo Court  
Goodlettsville, TN 37072

s/ Stephanie A. Bergmeyer  
Stephanie A. Bergmeyer